

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Veli-Matti LEHTOLA, et al.
Appln. No.: 10/783,024
Filed: February 23, 2004
For: SOLID FORMULATIONS OF
OSPEMIFENE
Attorney Docket No: 13601-016

Examiner: Hasan Syed Ahmed
Art Unit: 1615
Confirmation No.: 3763

THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

In accordance with the duty of disclosure under 37 CFR §1.56 and §§1.97-1.98, and more particularly in accordance with 37 CFR §1.97(b), Applicant hereby cites the following reference(s):

U.S. PATENT DOCUMENTS		
DOCUMENT NO.	DATE	NAME
4,117,121	09-1978	Gallo-Torres
5,567,714	10-1996	Bruns
5,597,582	01-1997	Brown, et al.
6,015,544	01-2000	Foged, et al.
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2003/0083228	05-2003	Carpino, et al.
2005/0187301	08-2005	Lehtola, et al.
2005/0227947	10-2005	Chen, et al.
2006/0105045	05-2006	Buchanan, et al.
2007/0066536	03-2007	Garnick

FOREIGN PATENT DOCUMENTS		
DOCUMENT NO.	DATE	COUNTRY
EP 760 651	07-2001	Europe

OTHER ART – NON PATENT LITERATURE DOCUMENTS
S.K. Voipio, et al., "Effects of ospemifene (FC-1271a) on uterine endometrium, vaginal maturation index, and hormonal status in healthy postmenopausal women." <i>Maturitas</i> vol. 43, 204-214 (2002).
Raymond F. Kauffman, et al., "Selective Estrogen Receptor Modulators," <i>Drug News & Perspectives</i> 1995 8 (9) pp. 531-539
Christopher J.H. Porter, et al., "Lipid Based Formulations For Oral Administration," <i>Journal of Receptor & Signal Transduction Research</i> , 21 (2&3) 215-257 (2001).

Odeku Oluwatoyin A., Fell, John T.; <i>Effects of the method of preparation on the compression, mechanical, and release properties of Khaya gum matrices</i> ; Pharmaceutical development and technology; 2006; vol. 11; no. 4, pp.435-441
International Preliminary Report on Patentability and Written Opinion for PCT/FI2005/000037, dated May 23, 2006 (received June 13, 2006)
International Search Report of PCT/FI2005/000037, dated May 24, 2005
International Preliminary Report on Patentability and Written Opinion for PCT/2005/000131, dated November 7, 2006.
International Search Report of PCT/FI2005/000131, dated June 20, 2005.
European Patent Office Examination Reports for Application Number 05 708 125.9 (PCT/FI2005/000037), dated September 26, 2008.
European Patent Office Examination Reports for Application Number 05 708 125.9 (PCT/FI2005/000037), dated March 25, 2008.
European Patent Office Examination Reports for Application Number 05 708 125.9 (PCT/FI2005/000037), dated July 20, 2007.
European Patent Office Examination Reports for Application Number 05 717 258.7 (PCT/2005/000131), dated May 5, 2009.
European Patent Office Examination Reports for Application Number 05 717 258.7 (PCT/2005/000131), dated November 9, 2007.
Patent Office of the Russian Federation, Official Action for Application No. 2006133902 with English translation, dated January 26, 2009.
Patent Office of the Russian Federation, Official Action for Application No. 2006133902 with English translation, dated December 14, 2009.
Chinese Patent Office, Office Action for Application No. 200580004972.7 (PCT/FI2005/000037) with English translation, dated January 9, 2009.

Applicant is enclosing Form PTO-1449 (two sheets), along with a copy of each listed reference for which a copy is required under 37 CFR §1.98(a)(2). Pursuant to the undersigned attorney's obligation and duties under 37 CFR §§ 1.56 and 1.98(a)(3) and (c), either English language abstracts, partial translations, or full translations are included for patent documents which are not in English for the express purpose of providing a concise explanation of the references to the Patent and Trademark Office with the opportunity to evaluate the same. Applicant respectfully requests the Examiner's consideration of the above reference(s) and entry thereof into the record of this application.

By submitting this Statement, Applicant is attempting to fully comply with the duty of candor and good faith mandated by 37 CFR §1.56. As such, this Statement is not intended to constitute an admission that any of the enclosed references, or other information referred to therein, constitutes "prior art" or is otherwise "material to patentability," as that phrase is defined in 37 CFR §1.56(a).

The Applicant or Applicants have calculated no fee to be due in connection with the filing of this Information Disclosure Statement. However, the Director is authorized to charge any fee deficiency associated with the filing of this Information Disclosure Statement to a deposit account, as authorized in the Transmittal accompanying this Information Disclosure Statement.

Respectfully submitted,

June 14, 2010

Date

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